

07-15-05

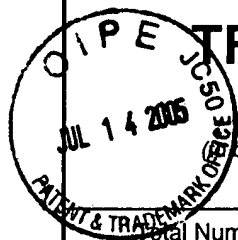
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PTO/SB/21 (09-04)

Approved for use through 7/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

Application Number		10/605,185
Filing Date		September 12, 2003
First Named Inventor		Brandon C. Haley
Art Unit		3643
Examiner Name		Price Jr., Richard Thomas
Attorney Docket Number		718026.33
Total Number of Pages in This Submission	3	

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below); return postcard
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks:	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

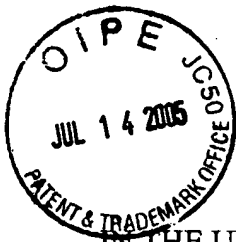
Firm Name	Blackwell Sanders Pepper Martin, LLP		
Signature			
Printed Name	Mark E. Stallion		
Date	July 14, 2005	Reg. No.	46,132

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as Express Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.
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Signature			
Typed or printed name	Lisa Askew	Date	July 14, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option



PATENT
718026.33

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Brandon C. Haley	:	Examiner: Price Jr., Richard Thomas
	:	
Serial No.: 10/605,185	:	Group Art Unit: 3643
	:	
Filed: September 12, 2003	:	Attorney Docket No.: 718026.33
	:	
For: LEG PROCESSOR YIELD IMPROVEMENT	:	Customer No.: 027128
	:	
	:	Confirmation No.: 2184
Last Office Action: June 15, 2005	:	

RESPONSE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Restriction Requirement dated June 15, 2005, Applicant hereby elects for prosecution at this time Group I claims 1-6, drawn to an apparatus. The election of Group I claims is made with traverse without prejudice to the elected Group I claims and without prejudice to the non-elected Group II-VI claims.

Reconsideration and withdrawal or modification of the requirement for restriction are respectfully requested consistent with Examiner Interview July 10, 2005. The Applicant contends that Group I-VI claims are closely related and have a common utility. Specifically, the circular blade (126), elongated guide assembly (106), wedge shaped plow (152), and the disc (146) in combination have common utility related to splitting of the back half or saddle portion of a poultry carcass. The Applicant further contends that the Groups I-VI claims don't pose a

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Serial No.: 10/605,185
Response to Restriction Requirement

serious burden for the examiner by requiring separate searches. Consistent with the Examiner interview the Applicant requests that if the restriction requirement is not completely withdrawn then the groupings are reduced from Groups I-VI to Applicant Proposed Groups I-II were Group I is claims 1-6 and 21-27 and Group II is directed to claims 7-20. The focus of Group I is the guide, blade and plow combination whereas Group II is directed to the guide, disc, and plow. Independent claim 27 reflects the overall combination.

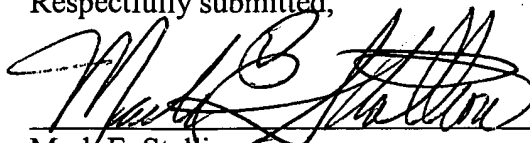
Because Applicant may wish to pursue claims of the non-elected Groups at a later date by Divisional Application, if necessary, it is requested that these claims, pursuant to 37 CFR 1.142, be permitted to remain in the application, but withdrawn from examination.

This response does not present any new matter. Accordingly, as all requirements of the Action have been complied with, an action on the merits and a Notice of Allowance are hereby respectfully solicited.

If any issue regarding the allowability of any of the pending claims in the present application could be readily resolved, or if other action could be taken to further advance this application such as an Examiner's amendment, or if the Examiner should have any questions regarding the present amendment, it is respectfully requested that the Examiner please telephone Applicant's undersigned attorney in this regard.

Date: July 14, 2005

Respectfully submitted,



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